

Appl. No. : 10/021,797
Filed : December 11, 2001

REMARKS

In response to the Office Action mailed May 27, 2005, Applicant respectfully requests the Examiner to reconsider the above-captioned patent application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 3 and 5-17 remain pending. Claim 4 has been cancelled without prejudice or disclaimer.

In the Office Action mailed May 27, 2005, the Examiner rejected Claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Laguette (US 6,478,821) in view of Moriya (US 4,929,289). In addition, the Examiner allowed Claims 3 and 5-17.

Applicant has cancelled Claim 4, leaving allowed Claims 3 and 5-17 as the only pending claims. Accordingly, all claims in the present application are in condition for allowance.

Information Disclosure Statement

Applicant directs the Examiner's attention to the Second Supplemental Information Disclosure Statement filed on March 25, 2003 (courtesy copy enclosed). The Examiner has not yet provided a signed-off copy of the form PTO-1449 filed with the Second Supplemental Information Disclosure Statement. Applicant respectfully requests that the Examiner consider (if she has not already) the references cited in the Second Supplemental Information Disclosure Statement. No fees are believed due, but in the event that Applicant must pay any fees in connection with the Second Supplemental Information Disclosure Statement, the Commissioner is authorized to charge any such fees to Deposit Account 11-1410.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, issuance of a Notice of Allowance is most earnestly solicited.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches. Although cancellations have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the cancellations are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby.

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The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Mark J. Kertz at (949) 721-6318 to resolve such issue(s) promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug. 18, 2005

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